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time of the taking. *Muncie Natural Gas Co. v. Allison*, 31 Ind. App. 50. Others hold it to be the date of appraisalment. *Matter of Forsyth Blvd.*, 127 Mo. 417. The dissenting opinion in the principal case contends for an exception to the general Illinois rule in those cases where years elapse between the time of filing the petition and the beginning of the trial, on the grounds that the nearer we get to paying the compensation with one hand, while applying the axe with the other, the nearer we come to justice to all the parties involved. See *Parks v. City of Boston*, 32 Mass. 198, 208. The reverse of the question showed itself in *South Park Commissioners v. Dunlevy*, 91 Ill. 49, where the property depreciated in value between the time of filing the petition and the time of the trial. The representatives of the public sought to change the rule of damages, but without success.

EVIDENCE—CRIMINAL LAW—IMPEACHMENT OF DEFENDANT—OTHER CRIMES.—On cross-examination in a trial for murder the defendant, who had taken the stand in his own behalf, was asked whether he had held up another man and woman in another place of business at the point of a pistol and robbed them. The defendant's previous testimony was to the effect that he had come into the store to rob but not to kill; that he only fired at the deceased after the latter had attempted to kill him. The question was asked to impeach the defendant's credibility on this point. *Held*, that the evidence was competent since it tended to show that, instead of being a person who was seeking to avoid taking life, he was one who cared not whether, in the accomplishment of his purpose, he did or did not kill a human being. *State v. Werner* (La., 1919), 80 So. 596.

A defendant who takes the stand in his own behalf submits himself to impeachment just as any other witness. Though he can refuse to answer concerning other crimes by a claim of self-incrimination—*Saylor v. Commonwealth*, 97 Ky. 184—yet he is subject to the ordinary rules of evidence if he does not invoke that privilege. It is established that other crimes are not admissible in the trial of a particular issue although the exceptions to the rule have modified it to a considerable degree. But, whether the crimes are admissible to prove motive, identity, system or plan, it must still appear that they are connected with the present crime. *State v. Hale*, 156 Mo. 102; *Bain v. State*, 38 Tex. Cr. 635; *Rosensweig v. People*, 63 Barb. (N. Y.), 634. If the exception laid down by the principal case were accepted it would mean that the exception would swallow the rule so that it would vanish altogether. The theory upon which the evidence is admitted in the principal case is that the statement of the defendant is inconsistent with actual existing fact—it is an inconsistent statement and hence admissible. But is not all impeaching testimony used to disclose a state of facts contradicting the declaration of the witness? This would result in the admission of other crimes whether connected with the issue or not—so long as it could be used to impeach the credibility of the witness. To allow an exception, then, that other crimes can be used to impeach credibility amounts to making the exception the rule. But it seems that a few cases have erroneously recognized this broad exception. *People v. Pete*, 123 Cal. 373. See also *Jackson v. State*, 33 Tex. Cr. 281.